IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1053 OF 1989

Bank of India ..Plaintiff

V/s.

Nanhaku Suku Jaiswar & ors ..Defendants

Mr.N.S.Fadia, advocate, for plaintiff
Ms.Priti A. Sutar i/b. R.D.Bhatia, advocate, for defendant No.1

CORAM : V.C.DAGA, J.

DATE : 20TH NOVEMBER, 2007

P.C.

1. On the last date of hearing i.e.8th October, 2007, issues were framed with further direction to plaintiff to file affidavit of evidence and documents on the next date of hearing i.e.19th November, 2007. Learned counsel appearing for plaintiff-Bank submits that a letter dated 9th October, 2007 is received by the Bank on 11th October, 2007. A copy of the said letter along with the original acknowledgement is produced on

record. Learned counsel appearing for plaintiff-Bank submits that inspite of specific request to

the Bank to produce the original documents along with statement of account for filing in the Court, nobody on behalf of the Bank appears in the Court. Under these circumstances, he further submits that he is unable to proceed with the suit. A copy of the letter is taken on record.

2. Not a single original document is available on record. Under these circumstances, suit is dismissed for want of evidence with no order as to cost.

(**V.C.DAGA, J.**)